

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: JOSEPH YEBOAH

Debtor(s)  
JACK N. ZAHAROPOULOS  
CHAPTER 13 TRUSTEE

CHAPTER 13

Movant

CASE NO: 5-22-00611-MJC

vs.

JOSEPH YEBOAH etal  
Respondent(s)

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on December 8, 2022, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, by and through his attorney Agatha R. McHale, Esquire, and respectfully represents the following:

1. An Amended Plan was filed on September 26, 2022.
2. A hearing was held and an Order was entered on November 8, 2022 directing that an amended plan be filed within fourteen (14) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable plan.

Respectfully submitted,

/s/ Agatha R. McHale, Esq. \_\_\_\_\_

Id: 47613

Attorney for Movant

Jack N. Zaharopoulos

Standing Chapter 13 Trustee

Ste. A, 8125 Adams Drive

Hummelstown, PA 17036

Ph. 717-566-6097

email: amchale@pamd13trustee.com

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CHAPTER 13

Debtor(s)

JACK N. ZAHAROPOULOS  
CHAPTER 13 TRUSTEE  
Movant

CASE NO: 5-22-00611-MJC

**NOTICE**

NOTICE IS HEREBY GIVEN that Jack N. Zaharopoulos, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

U.S. Bankruptcy Court  
Max Rosenn U.S. Courthouse  
Courtroom #2  
197 S. Main Street  
Wilkes Barre, PA

Date: January 5, 2023

Time: 10:00 AM

Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Respectfully submitted,

/s/ Agatha R. McHale, Esquire

ID: 47613

Attorney for Movant

Jack N. Zaharopoulos

Standing Chapter 13 Trustee

8125 Adams Drive, Suite A

Hummelstown, PA 17036

Phone: (717) 566-6097

email: info@pamd13trustee.com

Dated: December 8, 2022

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**CERTIFICATE OF SERVICE**

I certify that I am more than 18 years of age and that on December 8, 2022, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1<sup>st</sup> Class mail from Hummelstown, PA, unless served electronically.

Served electronically

PAUL W McELRATH, JR, ESQUIRE  
McELRATH LEGAL HOLDINGS, LLC  
1641 SAW MILL RUN BLVD  
PITTSBURGHPA15210-

United States Trustee  
228 Walnut Street  
Suite 1190  
Harrisburg, PA 17101

Served by 1<sup>st</sup> Class Mail

JOSEPH YEBOAH  
1541A STUYVESANT AVENUE  
UNION, NJ 07083

I certify under penalty of perjury that the foregoing is true and correct.

Date: December 8, 2022

Respectfully submitted,

/s/ Vickie Williams  
Jack N. Zaharopoulos  
Standing Chapter 13 Trustee  
Suite A, 8125 Adams Dr.  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
email: [info@pamd13trustee.com](mailto:info@pamd13trustee.com)

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IN RE:       JOSEPH YEBOAH

CHAPTER 13

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CHAPTER 13 TRUSTEE

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**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed. The Court retains jurisdiction to rule on any timely filed fee application.